



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,256	03/23/2004	Kazuhiro Shimawaki	4468-012B	1914

7590 07/21/2006

LOWE HAUPTMAN GILMAN & BERNER, LLP
1700 Diagonal Road, Suite 300
Alexandria, VA 22314

EXAMINER

PERILLA, JASON M

ART UNIT	PAPER NUMBER
----------	--------------

2611

DATE MAILED: 07/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/806,256	Applicant(s) SHIMAWAKI, KAZUHIRO	
	Examiner Jason M. Perilla	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 23 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4, 5, 9, 10, 14, 15, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 4, 5, 9, 10, 14, 15, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/712,844.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 4, 5, 9, 10, 14, 15, 19 and 20 are pending in the instant application.

Claim Objections

2. Claims 4, 5, 9, 10, 14, 15, 19 and 20 are objected to because of the following informalities:

Regarding claim 4, the following version of the claim is presented to overcome objections to the claim:

A reception data synchronizing apparatus for a synchronization to be obtained between reception data having a synchronism pattern for a synchronization to be obtained and expectation data as an expected value of the reception data, comprising:
a phase difference recording means for recording a time difference between a second synchronism pattern detecting timing at which the synchronism pattern is detected in the reception data and ~~the~~ a first synchronism pattern detecting timing, as an initial one at which the synchronism pattern is initially detected in the reception data;
a collation and synchronism decision means for collating the reception data with reference data to decide whether or not a synchronism timing of the reception data is consistent in phase with the reference data at the first synchronism pattern detecting timing; and
a timing generating means operative, when the collation and synchronism decision means gives a decision for inconsistency in phase, for shifting a the synchronism timing of the expectation data ~~from the synchronism pattern detecting timing, as the initial one,~~ by the time difference recorded in the synchronism pattern detecting timing recording means.

Regarding claims 5, 9, 10, 14, 15, 19, and 20, the claims are objected to for the same reasons as applied to claim 4 above.

Appropriate correction is required.

Allowable Subject Matter

3. Claims 4, 5, 9, 10, 14, 15, 19, and 20 are indicated to contain allowable subject matter.

4. The following is a statement of reasons for the indication of allowable subject matter:

Claims 4, 5, 9, 10, 14, 15, 19 and 20 are indicated to contain allowable subject matter because the prior art of record does not disclose or obviate the claimed limitation of finding two synchronization timings and determining the accuracy of the first synchronization timing using a collation with actual reference data, wherein a phase shift between the first and second timings is applied if the collation finds an inconsistency in phase.

Conclusion

5. This application is in condition for allowance except for the following formal matters:

The claim objections above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following prior art not relied upon above is cited to further show the state of the art with respect to synchronizers.

U.S. Pat. No. 5784420 to Rorh.

U.S. Pat. No. 5400369 to Ikemura.

U.S. Pat. No. 5778000 to Dosiere et al.

U.S. Pat. No. 4620300 to Ogawa

U.S. Pat. No. 4744081 to Buckland

U.S. Pat. No. 4747116 to Yajima et al

U.S. Pat. No. 4748623 to Fujimoto

U.S. Pat. No. 5132991 to McNesby et al

U.S. Pat. No. 5761242 to Thomas

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Perilla whose telephone number is (571) 272-3055. The examiner can normally be reached on M-F 8-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh M. Fan can be reached on (571) 272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jason M. Perilla
July 20, 2006

jmp



CHIEH M. FAN
SUPERVISORY PATENT EXAMINER